

Order

Michigan Supreme Court
Lansing, Michigan

April 6, 2016

Robert P. Young, Jr.,
Chief Justice

152036

Stephen J. Markman

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein

Joan L. Larsen,

Justices

SHAKEETA SIMPSON, as Personal
Representative of the ESTATE OF ANTAUN
SIMPSON,

Plaintiff-Appellee,

and

SHAKEETA SIMPSON,
Plaintiff,

v

SC: 152036

COA: 320443

Wayne CC: 13-000307-NH

ALEX PICKENS, JR. & ASSOCIATES, M.D.,
P.C., doing business as PICKENS MEDICAL
CENTER, BRIGHTMOOR GENERAL
MEDICAL CENTER, INC., doing business as
BRIGHTMOOR-PICKENS MEDICAL
CENTER, ALEX PICKENS, JR., M.D., and
LINDA S. HARTMAN, P.A.,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the June 16, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether, in order to bring a wrongful-death action under MCL 600.2922 for the death of a fetus or embryo, a plaintiff must meet the affirmative-act requirement of MCL 600.2922a. See *Johnson v Pastoriza*, 491 Mich 417 (2012). The parties should not submit mere restatements of their application papers.

The Michigan Association for Justice and the Michigan Defense Trial Counsel, Inc. are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.

BERNSTEIN, J., not participating due to his prior relationship with The Sam Bernstein Law Firm.



d0330

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 6, 2016

Clerk